

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MARK JACOBS,

Plaintiff,

VS .

JUAN CASTILLO,

Defendant.

No. 09-2255-STA/cgc

ORDER GRANTING MOTION TO PROCEED IN FORMA PAUPERIS
(DOCKET ENTRY 2)
ORDER GRANTING MOTION TO VOLUNTARILY DISMISS CASE
(DOCKET ENTRY 4)
AND
ORDER OF DISMISSAL UNDER RULE 41(a)

Petitioner Mark Jacobs, Bureau of Prisons ("BOP") registration number 18881-047, an inmate at the Federal Correctional Institution ("FCI") in Memphis, Tennessee, filed this habeas petition on April 24, 2009, along with a motion to proceed in forma pauperis. The motion to proceed in forma pauperis (Docket Entry 2) is GRANTED. On June 15, 2009, Jacobs filed a motion that his § 2241 petition be dismissed without prejudice. The Court construes the document as a notice of voluntary dismissal pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

Defendant has not been served and has not filed any response. Therefore, Plaintiff is entitled to dismiss his case. The Court therefore ORDERS that this case is dismissed without prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 30th day of July, 2009.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE